

REMARKS

In light of all of the above, Claims 1-26 are cancelled. Claims 27-52 are new.

Support for Claims 27-52 is found throughout the originally filed specification and claims.

No new matter is believed to have been introduced by the newly added claims.

The Office has required restriction in the present application as follows:

Group I: Claims 1-10 and 19-25; drawn to a method of coating; and

Group II: Claims 11-12, 16-17, and 26, drawn to a paper or paperboard product.

Applicants elect, with traverse, Group I, 11-12, 16-17, and 26, drawn to a paper or paperboard product, for further prosecution.

It should be noted that Applicants have cancelled all claims. In fact, Applicants have added completely new Claims 27-39 drawn to Group II, a paper or paperboard. Further, Applicants have added new Claims 40-52, drawn to a method of making a paper or paperboard, specifically the paper or paperboard of elected Group II, now embodied by new Claims 27-39.

In regard to Groups I and II, the Office has characterized the relationship between these two groups as "process of making and product made." Citing MPEP §806.05(f), the Office suggests the product as claimed can be made by another and materially different process such as "one in which a solvent other than water is used in the coating process". However, there is no evidence that the newly added claims actually exclude the possibility of a solvent other than water. Further, the Office has failed to show that the alleged process of "in which a solvent other than water is used in the coating process" is materially different from the claimed process. Accordingly, Applicants respectfully submit that the Restriction Requirement is unsustainable, and it should therefore be withdrawn.

Applicants further traverse the Restriction Requirement on the additional ground that a search of all the claims would not impose a serious burden on the Office. The MPEP in §803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn.

If, however, the Office maintains the Restriction Requirement, Applicants respectfully request that the Office rejoin Claims 40-52 if/when it is determined that Claims 27-39 are allowable since Claims 40-52 depend therefrom Claims 27-39 and describe the method for making the product claimed therein.

Within Group II, which was elected above, the Office has required restriction in the present application as follows: an election between “the following patentably distinct species of the claimed invention”:

B)

- c) wherein the ink receptive layer comprises an acrylic polymer;
- d) wherein the ink receptive layer comprises a biocide; and
- e) wherein the ink receptive layer comprises a combination of acrylic polymer and biocide.

Applicants elect, with traverse, c) wherein the ink receptive layer comprises an acrylic polymer, for further prosecution. It is the Applicants view that all pending Claims 27-34, 37-45, and 49-52 read on the elected species.

Due to the nature of the Amendments submitted above, the Election of Species Requirement in regards to A) and C) no longer appear to apply to the elected subject matter.

Applicants respectfully traverse the election of species requirement on the basis that the Office has searched the three alleged "distinct species" mentioned above at the same time in a previous application. The parent application, now United States Patent 6,645,642 (USP'642, copy attached), has issued and, in fact, contains claims to the three species above (see Claim 1 of USP'642). Yet, the Office has taken the position/interpretation that such embodiments are patentably distinct species now in the child Divisional Application. Therefore, the Office has inexplicably requested the Applicants to elect between the embodiments for the Divisional Application, when such election of species requirement was not required and/or withdrawn during prosecution of the parent application. Accordingly, withdrawal of the election of species requirement is respectfully requested.

Applicants make no statement regarding the patentable distinctness of the species, but note that for restriction to be proper there must be a patentable difference between the species as claimed. MPEP §808.01(a). The Office has not provided any reasons or examples to support a conclusion that the species are indeed patentably distinct. Accordingly, Applicants respectfully submit that the restriction is improper, and Applicants' election of species is for examination purposes only.

Applicants respectfully submit that the Office has not shown that a serious burden exists in searching the entire application, especially in view of the fact that the parent

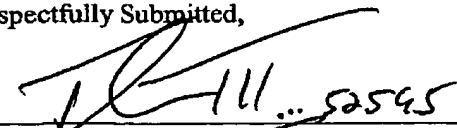
application issued as a patent containing all of the alleged "distinct species" (see Claim 1 of USP'642).

Finally, with respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non-elected species.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Election of Species Requirement. Withdrawal of the Election of Species Requirement is respectfully requested.

Applicants further submit that this application is in condition for examination on the merits and an early notification to that effect is earnestly solicited.

Please charge the amount of \$1590.00 required for any request for extension of time to our Deposit Account No. 09-0525. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 09-0525. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

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(12) **United States Patent**  
**Kulkarni et al.**

(10) **Patent No.:** **US 6,645,642 B2**  
**(45) Date of Patent:** **Nov. 11, 2003**

(54) **PAPER ARTICLES EXHIBITING LONG TERM STORAGEABILITY AND METHOD FOR MAKING SAME**

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(\*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) **Appl. No.:** 10/117,358

(22) **Filed:** Apr. 5, 2002

(65) **Prior Publication Data**

US 2002/0182381 A1 Dec. 5, 2002

**Related U.S. Application Data**

(60) Provisional application No. 60/283,055, filed on Apr. 11, 2001, provisional application No. 60/283,677, filed on Apr. 12, 2001, and provisional application No. 60/283,066, filed on Apr. 11, 2001.

(51) **Int. Cl.<sup>7</sup>** ..... B32B 7/00; B32B 29/06

(52) **U.S. Cl.** ..... 428/537.5; 162/134; 162/135

(58) **Field of Search** ..... 162/134, 135,  
 162/136, 137; 428/537.5

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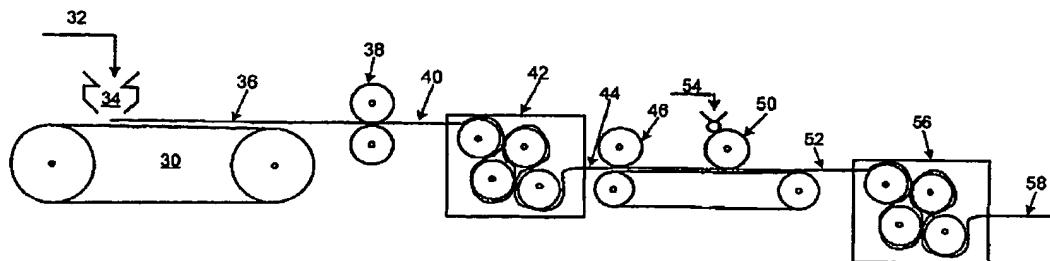
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(57) **ABSTRACT**

A method for increasing the long term storageability of a cellulosic paper or paperboard product. The method includes providing a paper or paperboard product made from cellulosic fibers having a basis weight ranging from about 80 to about 300 pounds per 3000 square feet. A holdout material is applied to at least one surface of the paper or paperboard product. The web is then coated with an ink receptive material selected from the group consisting of an aqueous acrylic polymer coating material, an aqueous biocidal agent and a combination of aqueous acrylic polymer coating material and aqueous biocidal agent and dried to provide a paper or paperboard product having enhanced long term storageability. Webs made according to the invention are suitable for making file folders which exhibit improved long term storageability by resisting damage from moisture and/or biological activity.

4 Claims, 2 Drawing Sheets



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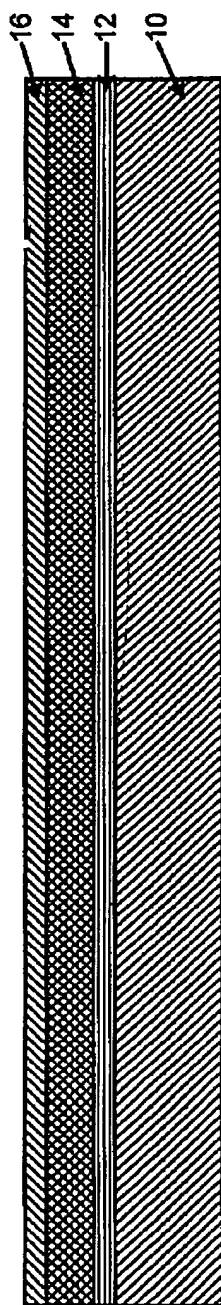


Fig. 1

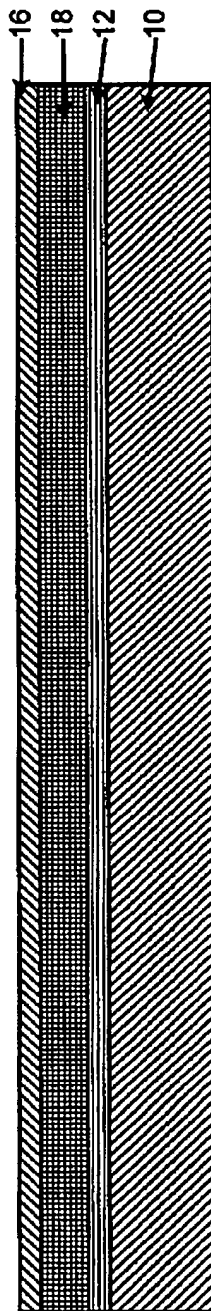


Fig. 2

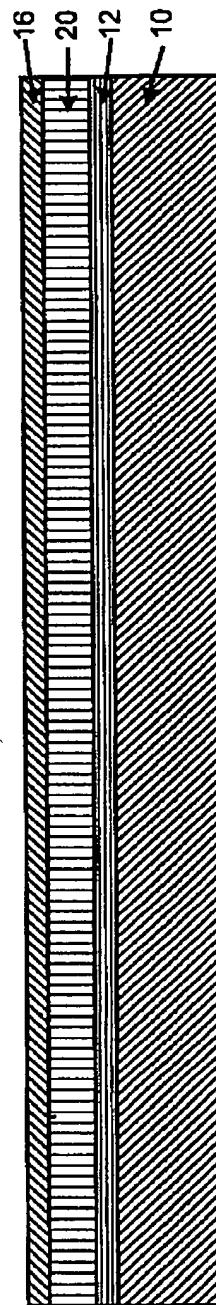


Fig. 3

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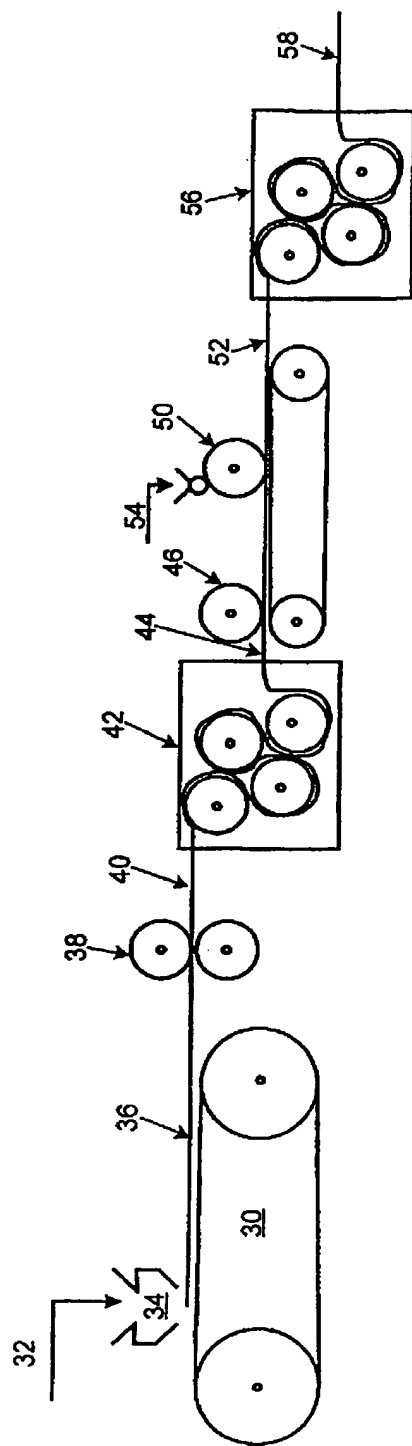


Fig. 4



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**PAPER ARTICLES EXHIBITING LONG  
TERM STORAGEABILITY AND METHOD  
FOR MAKING SAME**

This application claims the benefit of provisional application Serial No. 60/283,055, filed Apr. 11, 2001, of provisional application Serial No. 60/283,677, filed Apr. 12, 2001, and of provisional application Serial No. 60/283,066, filed Apr. 11, 2001.

**FIELD OF THE INVENTION**

The invention relates to the papermaking art and, in particular, to the manufacture of paper products having basis weights above about 80 pounds per 3000 square feet up to and including about 300 pounds per 3000 square feet, such as file folders, non-corrugated containers, and the like, which exhibit improved properties for office environments and long term storage.

**BACKGROUND OF THE INVENTION**

Heavy weight cellulosic paper and paperboard products such as file folders and paperboard file containers are often subject to liquid or moisture damage during routine handling and long term storage. In addition, such products, if stored in a humid environment, tend to support biological growth which results in undesirable odors being produced. Furthermore, such products may be damaged or soiled by aqueous liquids thereby discoloring the paper or paperboard products. If moisture or aqueous liquid are absorbed by the paper or paperboard materials, the materials may become soggy, warped and/or weakened thereby reducing their usefulness and potentially allowing the liquids to contact and damage documents which may be stored in containers made with the paper or paperboard materials.

Accordingly, there exists a need for improved cellulose-based products, and in particular relatively heavy weight paper and paperboard products, which exhibit improved resistance to moisture, water, and/or microbial growth.

**SUMMARY OF THE INVENTION**

With regard to the above and other objects and advantages, the invention provides a method for increasing the long term storageability of a cellulosic paper or paperboard product. The method includes providing a paper or paperboard product made from cellulosic fibers having a basis weight ranging from about 80 to about 300 pounds per 3000 square feet. A holdout material is applied to at least one surface of the paper or paperboard product to provide a sized web of paper or paperboard. The sized web is then coated with an ink receptive material selected from the group consisting of an aqueous acrylic polymer coating material, an aqueous biocidal agent and a combination of aqueous acrylic polymer coating material and aqueous biocidal agent to provide an ink receptive layer. Then the web is dried at a first temperature to provide a coated web. In order to reduce web curl, an uncoated side of the web is wetted with an aqueous fluid and dried at a second temperature to provide a paper or paperboard product having enhanced long term storageability.

In another embodiment the invention provides a method for reducing microbial growth on stored paper or paperboard products. The method includes providing a paper or paperboard product made from cellulosic fibers having a basis weight ranging from about 80 to about 300 pounds per 3000 square feet. At least one surface of the paper or paperboard

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product is sized with from about 0.5 to about 1.5 percent by weight starch sizing agent to provide a sized web of paper or paperboard. The sized web is coated with an aqueous biocidal agent and the web is dried to provide a paper or paperboard product having reduced tendency for microbial growth.

Another embodiment of the invention provides a paper or paperboard composite having enhanced long term storageability. The paper or paperboard composite includes a base layer formed from a cellulosic fiber substrate, the base layer having a first surface, second surface and a basis weight ranging from about 80 to about 300 pounds per 3000 square feet. A holdout layer is applied adjacent the first surface of the base layer. An ink receptive coating material is applied adjacent the holdout layer to provide an ink receptive layer. The ink receptive coating material is selected from the group consisting of an aqueous acrylic polymer coating material, an aqueous biocidal agent and a combination of aqueous acrylic polymer coating material and aqueous biocidal agent.

An advantage of the invention is that relatively heavy weight paper and paperboard products may be stored for a long term without significant deterioration or production of odor causing organisms. The products of the invention also exhibit improved long term durability and resist damage and staining caused by water and other aqueous fluids. Another advantage of the invention is that paper and paperboard webs made according to the invention exhibit less tendency to slide relative to one another as compared thermoplastic coated webs which are difficult to stack on one another because of their slick surface.

**BRIEF DESCRIPTION OF THE DRAWINGS**

Further advantages of the invention will become apparent by reference to the detailed description of preferred embodiments when considered in conjunction with the drawings, which are not to scale, wherein like reference characters designate like or similar elements throughout the several drawings as follows:

FIGS. 1-3 are cross-sectional views not to scale of paper or paperboard products according to the invention; and

FIG. 4 is a schematic flow diagram, not to scale, of a process for making paper and paperboard products according to the invention.

**DETAILED DESCRIPTION OF THE  
INVENTION**

With reference now to FIGS. 1-4, the invention provides a web 10 having a holdout layer 12 and a print receptive layer 14, 18, or 20. The print receptive layer 14, 18, or 20 will be described in more detail below. Layer 16 is preferably a printed image layer which is applied directly to or adjacent to the print receptive layer 14, 18, or 20 preferably by a printing process selected from a flexographic printer, a lithographic printer, a rotogravure printer, and the like. Accordingly, the print receptive layer 14, 18, or 20 is preferably a lipophilic or hydrophobic print receptive layer. In an alternative, a printed image may be applied directly to the holdout layer 12 and the printed image then coated with the print receptive layer 14, 18, or 20. Thus the print receptive layer 14, 18, or 20 of the alternative embodiment provides an additional surface for accepting a printed image to complement the image printed on the holdout layer 12.

The web 10 is preferably a paper or paperboard web made of cellulose fibers by a conventional papermaking process

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having a basis weight preferably ranging from about 80 to about 300 pounds per 3000 square feet or more. Hence, the paper or paperboard is relatively inflexible as compared to paper having a lower basis weight. A particularly preferred web 10 is a paperboard web used for making file folders, manila folders, flap folders such as Bristol base paper, and other substantially inflexible paperboard webs for use in office environments, including, but not limited to paperboard containers for such folders, and the like.

The web 10 is preferably coated rather than impregnated with the print receptive layer 14, 18, or 20. Accordingly, after the web is formed, calendered and dried, a holdout layer 12 is preferably applied to at least one surface of the web 10. If both surfaces of the web are coated with the print receptive layer 14, 18, or 20, then the holdout layer 12 is preferably applied to both surfaces of the web 10. The preferred holdout layer 12 is provided by a sizing agent such as a starch sizing agent. When a starch sizing agent is used as the holdout layer 12, the sizing agent is preferably applied to a surface of the web 10 using about 0.5 to about 1.5 weight percent starch size from a water box. The holdout layer 12 and method for applying the holdout layer 12 to the web are not critical to the invention provided a holdout layer 12 is provided which inhibits significant penetration or absorption of the print receptive layer 14, 18, or 20 into the web 10.

With reference to FIG. 1, a preferred print receptive layer 14 includes a layer made from an aqueous acrylic coating material including an agent for reducing biological activity on the web 10. The acrylic coating material for providing layer 14 is preferably an acrylic polymer emulsion or dispersion in an aqueous carrier liquid. The acrylic polymer or emulsion preferably contains from about 35 to about 40 weight percent acrylic polymer solids and is preferably a film forming material which is effective to increase the resistance of the web 10 to wetting with aqueous fluids. A particularly preferred acrylic polymer emulsion material for providing layer 14 is available from Michelman, Inc. of Cincinnati, Ohio under the trade name MICRYL 474. The MICRYL 474 coating material has been used in the prior art as a paper coating for flexible cement bags. The lightweight coated paper used for cement bags was laminated to a plastic film for making the bag.

Whether or not layer 14 includes the biocidal agent, the acrylic polymer coating material may also include other additives to improve the ink receptability of the ink receptive layer 14. Such other additives include, but are not limited to, silica, clay, polyvinyl alcohol or cross-linked acrylics. Layer 14 may be applied to the holdout layer 12 by a wide variety of coating methods including, but not limited to, use of a flexographic coater, a rod coater, a rotogravure coater, an offset coater, a knife over roll coater, a lithographic coater, a dip coater, and a spray coater. The coating weight applied to the holdout layer 12 is preferably in the range of from about 1.5 to about 3.0 pounds per 3000 square feet to provide ink receptive layer 14.

An important property of the webs made according to the invention is their water shedability or resistance to wetting by aqueous fluids. The resistance of the web to wetting by aqueous fluids is determined by the Cobb Sizing Test, according to ASTM D-3285 (TAPPI T-441). Conventional, sized webs used for file folders have a five minute water absorption in the range of from about 50 to 70 grams per square meter of paper tested. The web 10 containing holdout layer 12 and print receptive layer 14 preferably has a five minute water absorption in the range of from about 30 to about 40 grams per square meter.

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A tester for performing the Cobb sizing test consists of a hollow metal cylinder or ring (100, 25 or 10 cm<sup>2</sup> inside area). A metal base plate with a clamping device is used to hold the ring against the sample of paper to be tested and a neoprene mat. Neoprene gaskets may be used to seal the cylinder against the web when the test sample is uneven. An important component of the test apparatus is a solid stainless steel roller having a smooth face about 20 cm wide and weighing about 10 kg. Also used for the test are a 100 mL graduated cylinder, a balance with sensitivity of 0.01 grams or better, blotting paper, and a timer or stopwatch.

A sample of paperboard material to be tested is cut approximately 12.5×12.5 cm square from the coated web. The sample is weighed and placed on the neoprene mat. The cylinder is clamped upon the sample by locking a crossbar in place and tightening two knobs. If sample material is textured, a gasket is placed between the sample and cylinder, carefully aligning the inner edges of each. The test liquid, in this case preferably water is poured into the test cylinder. The amount of test liquid is preferably 100 mL for 100 square centimeter cylinder. Proportionately less liquid is used for smaller cylinders. After pouring the liquid, the timer is started to provide a five minute test. Longer and shorter test periods may be provided. At fifteen seconds before the expiration of the predetermined test period, the liquid is quickly poured from the cylinder, using care in not dropping any liquid on the untreated (outside) portion of the test specimen. The cylinder is removed from the sample and the sample is placed with wetted side up on a sheet of blotting paper.

At exactly the end of the predetermined test period, a second sheet of blotting paper is placed on top of the sample to remove the surplus liquid by moving the hand roller once forward and once backward over the sample and blotting paper. Care should be taken not to exert downward force on the roller. The specimen is then folded after removing it from between the blotter sheets and re-weighed to the nearest 0.01 gram. The initial weight of the web is subtracted from the final weight of the sample and the gain in weight in grams is multiplied by 100 for a 100 cm<sup>2</sup> cylinder to obtain the weight of liquid absorbed in grams per square meter.

The resistance of the coated web to staining is determined by pouring a small amount of aqueous liquid such as coffee, soda, juice onto the coated web. The aqueous fluid is then wiped off after 30 seconds and the web is visually examined for evidence of staining or warping. Webs produced according to the invention exhibited less staining with dark fluids and less warping than conventional webs.

The agent for reducing biological activity included in layer 14 is preferably a haloalkynyl carbamate. A particularly preferred haloalkynyl alkyl carbamate is a halopropynyl carbamate, most preferably 3-iodo-2-propynyl butyl carbamate available as a latex dispersion wherein the active ingredient is present in the dispersion in an amount ranging from about 15 to about 30 percent by weight of the dispersion. Particularly preferred biocidal agents include aqueous dispersions available from Buckman Laboratories of Memphis, Tenn. under the trade names BUSAN 1420, BUSAN 1440, and BUSAN 1192D. Another preferred biocidal agent is available from Troy Technology Corporation, Inc. of Wilmington, Del. under the trade names POLYPHASE 641 and POLYPHASE P100. Still another preferred biocidal agent is available from Progressive Coatings of Shreveport, La. under the trade name VJ2180N.

The biocidal agent may be applied to both surface of the web with or without the acrylic polymer coating material. In

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the embodiment represented by FIG. 1, the biocidal agent is mixed with the acrylic polymer coating material in an amount preferably ranging from about 0.25 to about 4 weight percent of the total acrylic polymer coating material applied as layer 14.

After coating the web 10 and layer 12 with the acrylic polymer coating material, the web is dried to provide ink receptive layer 14 for receiving print 16. The web is preferably dried in an oven or using drying rolls at a temperature ranging from about 110° to about 200° C. to provide a web temperature not to exceed about 85° C. The entire coating and drying process is preferably conducted on a moving web running at about 300 to about 800 feet per minute or more.

In order to reduce web curl when only one side of the web 10 is coated with the holdout layer 12 and ink receptive layer 14, it is particularly preferred to wet the uncoated side of the web with an aqueous fluid such as water. In this case a minimal amount of water is used to wet the uncoated side of the web. A minimal amount of water may be applied to the uncoated side of the web using, for example, a zero rod.

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coated with ink receptive layer 14, 18, or 20 by coater 50 to provide coated web 52. The coating material 54 is preferably applied to the web using coater 50. After coating the web, the coated web 52 is dried in dryer 56 to provide web 58 having an ink receptive layer as described above.

As set forth above, if only one side of the web is coated with the ink receptive layer 14, 18, or 20 and holdout layer 12, then it is preferred to rewet the uncoated side of the web with an aqueous fluid and redry the web to reduce web curl.

In the following example, uncoated paper was coated with MICRYL 474 coating from Michelman, Inc. using a number three rod, and the web was dried by forced air having an air temperature of about 176° C. to provide a coated web. Next, the uncoated side of the web was wet with water using a zero rod. The web was then dried at about 120° to reduce web curl. The coating and wetting steps were conducted on line at about 400 feet per minute. The watershedability of the coated web was determined according to the five minute Cobb sizing test described above. The results are given in the following table.

TABLE

Sample No.	Uncoated paper basis weight in pounds per 3000 square feet	Coating weight of MICRYL 474 coating in pounds per 3000 square feet	5-minute Cobb value in grams per square meter
1	124	2.5	32
2	143	1.5	35

In the embodiment illustrated in FIG. 2, the web 10 includes holdout layer 12 and ink receptive layer 18. The ink receptive layer 18 is preferably provided by coating the holdout layer 12 with the above described film forming acrylic polymer material without the biocidal agent incorporated in the acrylic polymer material. Accordingly, the product illustrated in FIG. 2 is also receptive to a print layer 16 and exhibits a similar resistance to wetting as the web described with reference to FIG. 1 above.

FIG. 3 illustrates an embodiment of the invention wherein the ink receptive layer 20 is provided by coating the holdout layer 12 with an aqueous dispersion containing the biocidal agent described above. In this case, the holdout layer 12 is preferably coated with the biocidal agent provided as a latex coating material using a flexographic coater, a blade-over-roll coater, a rotogravure coater, or an applicator roll coater. The preferred coater is a flexographic coater having an anilox cylinder containing at least about 250 cells per linear inch, each cell having a volume of about 7.0 billion cubic microns per square inch (bcm). The line speed for the coater is preferably about 200 to 300 feet per minute or higher. After coating the web with the ink receptive layer 20, the web is dried as above in an oven or using drying rolls at a temperature ranging from about 110° to about 200° C. to provide a web temperature not to exceed about 85° C. When the web is coated with only the biological activity reducing agent, it is particularly preferred to coat both surface of the web 10. Accordingly, the holdout layer 12 is preferably applied to both surface of the web 10.

A process for making webs according to the invention is illustrated in FIG. 4. A web for use according to the invention is made by a conventional papermaking process. Accordingly, the web may be formed on a papermaking machine 30 from a furnish 32 provided to a headbox 34 to yield formed web 36. The formed web 36 is calendered by calender rolls 38 to provide calendered web 40. The calendered web 40 is then dried in web dryer 42 to provide a dried web 44. The dried web 44 is then sized by sizing rolls 46 to provide a web containing holdout layer 12. Next, the web is

As shown by the foregoing examples, paper coated with as little as 1.5 pounds per 3000 square feet of the MICRYL 474 coating material provided reduced water absorption as compared to conventional uncoated webs which have a water absorption in the range of from about 55 to about 60 grams per square meter as determined by the five minute Cobb sizing test.

Having now described various aspects of the invention and preferred embodiments thereof, it will be recognized by those of ordinary skill that numerous modifications, variations and substitutions may exist within the spirit and scope of the appended claims.

What is claimed is:

1. A paperboard composite having improved durability and resistance to damage and staining comprising:
  - a relatively inflexible paperboard base layer formed from a cellulosic fiber substrate, the base layer having a first surface, second surface and a basis weight ranging from about 80 to about 300 pounds per 3000 square feet,
  - a holdout layer adjacent the first surface of the base layer comprising a starch surface sizing agent, and
  - a separate ink receptive layer adjacent the holdout layer, the ink receptive layer being selected from the group consisting of an aqueous acrylic polymer coating material, an aqueous biocide and a combination of aqueous acrylic polymer coating material and aqueous biocide.
2. The composite of claim 1 further comprising a printed image layer applied to the ink receptive layer.
3. The composite of claim 1 wherein the ink receptive layer comprises an aqueous, film forming acrylic polymer layer provided by a coating ink receptive coating material having a solids content ranging from about 30 to about 45 percent by weight.
4. The composite of claim 1 wherein the composite comprises a file folder.

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